



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR OF  
THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2402380  
**Applicant Name:** Madeline Chaney for Voicestream PCS III Corp. (T-Mobile)  
**Address of Proposal:** 730 South Myrtle Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to establish use for construction of a minor communication utility (T-Mobile) consisting of six (6) panel antennas mounted to an 80 foot tall monopole. Project includes equipment cabinets to be located near the base of the monopole on a 120 sq. ft. concrete slab all enclosed within a fence area.

The following approvals are required:

**SEPA - Environmental Determination** - *Chapter 25.05*, Seattle Municipal Code (“SMC”)

**SEPA DETERMINATION:**      ☐ EXEMPT   ☒ DNS   ☐ EIS  
  
   ☐ DNS with conditions  
  
   ☐ DNS involving non-exempt grading or demolition  
   involving another agency with jurisdiction

\*\*Early Notice DNS published April 28, 2005

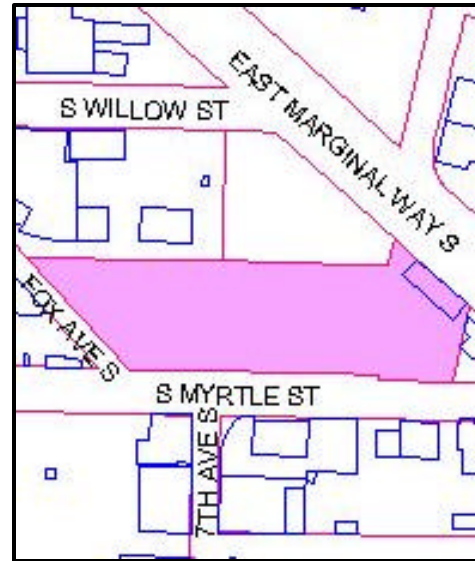
**BACKGROUND DATA**

**Site Location and Description**

The proposal site is located on the south half of a block with street frontages along South Myrtle Street to the south, Fox Avenue South to the west, and East Marginal Way South to the east in an established industrial area south of South Michigan Street. Between the east property line and

the East Marginal Way South roadway surface a Northern Pacific Railroad track runs parallel with the right-of-way. The development site is virtually a flat lot, comprising a land area of approximately 140,465 square feet. The site is entirely graveled and is currently occupied by an accessory structure that supports outdoor storage use that includes trucks and trailers, and is zoned General Industrial One, with an eighty-five foot height limit (IG1 U/85). The development site is also located within the Duwamish Manufacturing/Industrial Center (DU MIC). The site is mapped in the Environmentally Critical Areas (ECA) Folios as having soil conditions prone to liquefaction.

The dirt and gravel site is partitioned off with chain-linked fencing to segregate the development site into discreet storage areas. The abutting rights-of-way are improved with hard surface roadway with dirt and gravel shoulders.



At the time of this proposal an application for the installation of a billboard sign is being reviewed under Master Use Permit (MUP) project number 2502216. The proposed billboard height is 55 feet above grade and the sign display will be oriented towards the north and south directions adjacent to the East Marginal Way South frontage.

#### Area Development

Zoning in the immediate vicinity includes a mix of industrial, commercial, and residential. Along the west side of East Marginal Way South the area is exclusively zoned IG1 U/85. Across the centerline of East Marginal Way South, a small commercial zone (Commercial One with a height limit of 40 feet) provides a buffer zone to a moderately sized residential zoning band extending further eastwards that includes Multifamily and Single Family zones. Abutting the three block wide residential zone northerly and southerly is an Industrial Buffer zone which provides a transition area with less intensive commercial uses, from neighboring higher intensity commercial uses located within an expansive IG2 U/85 zone further north and south. Uses in the Industrial zones are typical for industrial areas; storage yards, light manufacturing and wholesale sales supported with small retail, offices, and eating and drinking establishments.

East Marginal Way South is a primary arterial corridor moving traffic effectively north and south along the eastside of the Duwamish River with connections to the interstate system. The site and adjacent properties are served by Metro transit routes 154, 173, and 174.

#### Proposal Description

This Master Use Permit (MUP) application proposes to establish use for installation of a minor communication utility (T-Mobile) on a freestanding monopole located near the southeast corner of the development site. The proposed monopole will rise approximately 80 feet above grade. The proposed six (6) panel antennas will be flush mounted to the monopole and will extend approximately 11 inches from the pole's face. The antennas will be painted to match the existing color scheme of the monopole. The equipment cabinet will be located near the poles base on a 120 square foot concrete slab. The total area will be enclosed within a chain-link fence to protect and secure the antennas and equipment cabinets from unauthorized personnel.

The highest portion of the proposed minor utility will extend no further than 85 feet above grade.

The Federal Aviation Administration (FAA) completed an aeronautical study and issued a "Determination of No Hazard to Air Navigation" for this proposal on February 18, 2005. The FAA determination states the proposed structure does not exceed obstruction standards and would not be a hazard to air navigation, and marking and lighting of the proposed structure is not necessary.

### Public Comments

Date of Notice of Application:	April 28, 2005
Date End of Comment Period:	May 11, 2005
# Letters	0
Issues:	No comment letters were received for this project.

### SEPA ANALYSIS

Environmental review resulting in a Threshold Determination is required pursuant to the State Environmental Policy Act (SEPA), WAC 197-11, and the Seattle SEPA Ordinance (Seattle Municipal Code Chapter 25.05).

The initial disclosure of the potential impacts from this project was made in the environmental checklist prepared by Madeline Chaney, dated February 1, 2005, and reviewed by the Department. The information in the checklist, public comment, and the experience of the lead agency with review of similar projects forms the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665 D) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states, in part: *"Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation,"* subject to some limitations. Under such limitations/circumstances (SMC 225.05.665 D1-7) mitigation can be considered.

### Short-Term Impacts

The following temporary construction-related impacts are expected: 1) decreased air quality due to increased dust and other suspended particulates from building activities; 2) increased noise and vibration from construction operations and equipment; 3) increased traffic and parking demand from construction personnel; 4) blockage of streets by construction vehicles/activities; 5) conflict with normal pedestrian movement adjacent to the site; and 6) consumption of renewable and non-renewable resources. Although not significant, the impacts are adverse and certain mitigation measures are appropriate as specified below.

City codes and/or ordinances apply to the proposal and will provide mitigation for some of the identified impacts. Specifically these are: 1) Street Use Ordinance (watering streets to suppress dust); and 2) Building Code (construction measures in general). Compliance with these

applicable codes and ordinances will be adequate to achieve sufficient mitigation and further mitigation by imposing specific conditions is not necessary for these impacts. The other short-term impacts not noted here as mitigated by codes, ordinances, or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation or discussion.

#### Long-term Impacts

Long-term or use-related impacts are also anticipated as a result of approval of this proposal including: increased traffic in the area and increased demand for parking due to monthly maintenance of the facility; and increased demand for public services and utilities. These impacts are minor in scope and do not warrant additional conditioning pursuant to SEPA policies.

#### Aesthetics

The Land Use Code (SMC 23.57.016.J), requires that the proposed freestanding transmission towers (including monopoles) shall minimize external projections from the support structure to reduce visual impacts and to the extent feasible shall integrate antennas in a screening structure with the same dimensions as external dimensions of the support structure, or shall mount antennas with as little projection from the structure as feasible. All cables and electrical lines will be placed within the monopole and will feed out to flush mounted external antennas, to minimize projections from the external face of the monopole. The six panel antennas will be flush mounted to the face of the monopole and will be painted to integrate into the color scheme of the monopole. The proposal includes installing equipment cabinets on a concrete slab within a short radius from the monopole. The applicant has proposed to screen a chain-link fence to secure and protect the antennas and accessory equipment cabinets from public view and access. To further mitigate additional visual impacts the color of the facility will be conditioned to be painted in a coordinated fashion to integrate the entire proposal. Additionally, any defacement of the painted areas during the life of the proposal will be conditioned to be removed. Therefore, visual appearance of the device will therefore be minimized.

#### Height

The proposed monopole will have a height of eighty feet (80 ft.) with six panel antennas attached near the top. The height of the subject monopole structure, being the highest in the service area is necessary to provide line of sight transmission of cellular frequencies to the edge of the service area. The long-term or use-related impacts anticipated as a result of approval of this proposal are a small increase in traffic and parking of vehicle(s) for maintenance of the utility (expected to be once a month), which is minor in scope. No adverse impacts associated with the proposed monopole height, which is within the height limit of the zone, have been identified.

The applicant submitted a "Determination of No Hazard to Air Navigation" from FAA's Airspace Branch. At the development site's station point location, relating to longitude and latitude where the monopole's is proposed to be installed was evaluated by the FAA. The aeronautical analysis (2005-ANM-301-00E) revealed that the monopole would not exceed obstruction standards and would not create a hazard to air navigation provided the following condition: "Based on this evaluation, marking and lighting are not necessary for aviation safety.

However, if marking and/or lighting are accomplished on a voluntary base, we recommend it be installed and maintained in accordance with FAA Advisory Circular 70/7460 – 1 K.” Therefore, no additional mitigation is required.

### Electro-magnetic Radiation (EMR)

The City of Seattle, in conjunction with Seattle-King County Department of Public Health, has determined that Personal Communication Systems (PCS) operate at frequencies far below the Maximum Permissible Exposure standards established by the Federal Communications Commission (FCC). Warning signs at every point of access to the transmitting antenna shall be posted with information of the existence of radiofrequency radiation.

The above-cited ordinance (Ordinance 116057, January 1992) was adopted specifically to ensure that the health and safety of the general public was protected from the adverse impact of electro-magnetic radiofrequency radiation and to establish performance standards to minimize health risks to the general public. The ordinance comprehensively covers all sources of radio frequency radiation and specifies radio frequency standards, measurement methods and permit requirements.

The City’s SEPA policy on Environmental Health is subject to the Overview Policy which states that when existing ordinances provide adequate protection, there is no basis for additional mitigation. At this time, no significant adverse health impacts to the general population are expected. The Department concludes that no further mitigation for EMR impacts, beyond the requirements of the Telecommunications Ordinance and Land Use Code are warranted pursuant to SEPA policies.

Additionally, the FCC has pre-empted State and local governments from regulating personal wireless service facilities on the basis of environmental effects of radio frequency emissions.

### Summary

In conclusion, several effects on the environment would result from the proposed development. The conditions imposed at the end of this report are intended to mitigate specific impacts identified in the foregoing analysis, to control impacts not adequately regulated by codes or ordinances, per adopted City policies.

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined not to have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21.030(2) (c).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(c).

Land Use Code Requirement (Non-Appealable) Prior to Issuance of a Master Use Permit

The owner(s) and/or responsible party(s) shall:

1. Provide an integrated color scheme that includes the panel antennas, monopole, equipment cabinets, and screening wall. This shall be to the satisfaction of the Land Use Planner.
2. The owner(s) and/or responsible party(s) shall provide access and signage in accordance with Section 23.57.010E4, which restrict access to minor communication utilities to authorized personnel by fencing or other means of security. This shall be to the satisfaction of the Land Use Planner.

During the Life of the Proposal

The owner(s) and/or responsible party(s) shall:

3. Any defacement (including graffiti) of the painted areas shall be removed.

Signature: (signature on file) Date: October 6, 2005  
Bradley Wilburn, Land Use Planner  
Department of Planning and Development  
Land Use Services